# Dinsmôre

## Legal Counsel.

DINSMORE & SHOHL LLP
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### RECEIVED

APR 09 2013

PUBLIC SERVICE COMMISSION

John E. Selent 502-540-2315 john.selent@dinsmore.com

April 8, 2013

#### Via Federal Express

Hon. Jeff Derouen
Executive Director
Kentucky Public Service Commission
211 Sower Blvd.
P. O. Box 615
Frankfort, KY 40601

Re: In the Matter of Ballard Rural Telephone Cooperative Corporation, Inc., et al., v BellSouth Telecommunications, Inc. d/b/a AT&T Kentucky and Halo Wireless, Case No. 2011-00199

Dear Mr. Derouen:

With this letter I am enclosing one (1) original and eleven (11) copies of the RLECs' motion to establish procedural schedule in regard to the above matter.

Please return a file stamped copy in the enclosed, self-addressed postage prepaid envelope.

Thank you, and if you have any questions, please call me.

Very truly yours,

DINSMORE & SHOHL LLP

John E. Selent

JES/bmt Enclosure

cc: All Parties of Record

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# COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

APR 09 2013
PUBLIC SERVICE
COMMISSION

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BALLARD RURAL TELEPHO	NE COOPERATIVE	)
CORPORATION, INC., ET AL.	)	
	COMPLAINANTS	)
V.		)
BELLSOUTH TELECOMMUN	ICATIONS INC. D/R/A	) CASE No. 2011-00199
AT&T KENTUCKY	realitions, inc. Dibits	)
	DEFENDANT	)
V.		)
		)
HALO WIRELESS, INC.		)
	DEFENDANT	)

### MOTION TO ESTABLISH PROCEDURAL SCHEDULE

Ballard Rural Telephone Cooperative Corporation, Inc. ("Ballard Rural"), Brandenburg Telephone Company ("Brandenburg"), Duo County Telephone Cooperative Corporation, Inc. ("Duo County"), Foothills Rural Telephone Cooperative, Inc. ("Foothills"), Gearheart Communications Co., Inc. ("Gearheart"), Highland Telephone Cooperative, Inc. ("Highland"), Logan Telephone Cooperative, Inc. ("Logan Telephone"), Mountain Rural Telephone Cooperative Corporation, Inc. ("Mountain Rural"), North Central Telephone Cooperative Corporation ("North Central"), Peoples Rural Telephone Cooperative, Inc. ("Peoples"), South Central Rural Telephone Cooperative Corporation, Inc. ("South Central"), Thacker-Grigsby Telephone Company, Inc. ("Thacker-Grigsby"), and West Kentucky Rural Telephone Cooperative Corporation, Inc. ("West Kentucky") (collectively, the "RLECs"), by counsel, hereby move the Public Service Commission of the Commonwealth of Kentucky (the "Commission") to establish the proposed procedural schedule in this matter. Though the parties continue discussions to evaluate the feasibility of settlement, it should be apparent if settlement

will be feasible within the next thirty (30) days. Consequently, in order to encourage the efficient resolution of this matter and to incentivize further settlement discussions, the RLECs propose that the Commission grant an order implementing the following procedural schedule.

May 9, 2013	First Data Requests filed with the Commission and served electronically on all parties
May 23, 2013	First Data Requests responses due
June 6, 2013	Simultaneous Direct Testimony filed and served electronically on all parties
June 20, 2013	Second Data Requests filed with the Commission and served electronically on all parties
July 11, 2013	Second Data Request responses due
July 18, 2013	Simultaneous Rebuttal Testimony filed and served electronically on all parties
Aug. 1, 2013	Hearing
Aug. 29, 2013	Simultaneous Post-Hearing Briefs filed and served electronically on all parties
Oct. 10, 2013	Commission Decision Due

Respectfully submitted,

John E. Selvint Edward T. Depp

Jerrad T. Howard

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(502) 540-2300 (Telephone)

(502) 585-2207 (Facsimile) Counsel to the RLECs

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by U.S. mail this  $\Delta$  day of April, 2013, on the following individuals:

# BELLSOUTH TELECOMMUNICATIONS, INC. D/B/A AT&T KENTUCKY:

Mary K. Keyer, Esq.
AT&T Kentucky
601 West Chestnut Street
Room 407
Louisville, Kentucky 40203
General Counsel of AT&T Kentucky

J. Tyson Covey Mayer Brown LLP 71 South Wacker Drive Chicago, IL 60606

#### HALO WIRELESS, INC.:

Russell Wiseman President & CEO Halo Wireless, Inc. 2351 West Northwest Hwy., Suite 1204 Dallas, TX 75220

Jennifer M. Larson McGuire, Craddock & Strother, P.C. 2501 N. Hardwood, Suite 1800 Dallas, TX 75201

Katherine W. Ross, Esq. Regard Law Group, PLLC 269 W. Main Street, Suite 600 Lexington, KY 40507-1759

Respectfully submitted,

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